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CONFIDENTIAL.

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149.

FURTHER CORRESPONDENCE

RESPECTING THE

REVISION OF THE COMMERCIAL TREATY

BETWEEN

GREAT BRITAIN AND TURKEY.

[In continuation of Confidential Paper No. 5325.]

149

1886.

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CONFIDENTIAL.

Further Correspondence respecting the Revision of the Commercial Treaty between Great Britain and Turkey.

[In continuation of Confidential Paper No. 5325.]

No. 1.

Sir W. White to the Marquis of Salisbury.—(*Received January* 16.)

(No. 3. Commercial.)

My Lord, *Constantinople, January* 12, 1886.

I HAVE the honour to forward to your Lordship a copy of a Report addressed to me by Mr. Consul Wrench, together with one of the Protocols signed with regard to the projected new Tariff by the German and Turkish Delegates.

This document has been obtained privately and confidentially, and I have nothing to add to it at present but to indorse Mr. Wrench's observation, and to notice that the only Power which has hitherto come to an agreement with Turkey on this Tariff question is Germany, besides ourselves.

I have, &c.

(Signed) W. A. WHITE.

Inclosure 1 in No. 1.

Consul Wrench to Sir W. White.

Sir, *Constantinople, January* 11, 1886.

I HAVE the honour to transmit herewith a copy of the final *procès-verbal* of the negotiations for a new Commercial Tariff, which has been signed by the German and the Ottoman Delegates.

This document, which has been confidentially communicated to me by M. Callinus, Dragoman of the Belgian Legation, differs from the concluding *procès-verbal* in the negotiations conducted by myself, inasmuch as the demands made by M. Gillet are accepted by his Ottoman colleagues, and are, therefore, binding upon the Porte. In this way the question of most-favoured-nation treatment, which the ex-Grand Vizier could never bring himself frankly to admit, may now be considered as set at rest.

The German negotiations were thus brought to a close in November last, M. Gillet having remained in Constantinople for five months for the sole purpose of obtaining the signatures of his Ottoman colleagues to this document. During these months the ex-Grand Vizier, Saïd Pasha, was replaced by the present one, Kiamil Pasha, and the Imperial sanction was then applied for and granted, and thus were the Ottoman signatures appended.

With regard to the Tariff negotiations of other Powers, the Austro-Hungarian and the French Delegates still continue the discussion of the Tariff, and the Italian Delegate has commenced to treat. But the instructions under which each one of these Delegates are acting, more particularly with respect to certain specified amounts of duty which they are ordered not to exceed with regard to important articles of importation, preclude the

possibility of an agreement being arrived at with the Ottoman Commissioners, and it does not at present appear likely that the negotiations of the Delegates in question can be concluded until their Governments modify their demands.

I have, &c.
(Signed) WILLIAM H. WRENCH.

Inclosure 2 in No. 1.

Protocol.

LES Délégués des Gouvernements d'Allemagne et de Turquie pour l'élaboration d'un Tarif Conventionnel concernant les importations en Turquie, savoir: pour l'Allemagne, M. Gillet; pour la Turquie, Horn Effendi et Mikaël Effendi Portugal, s'étant réunis à Constantinople aujourd'hui, le , ont déclaré ce qui suit :—

1. Les négociations entre les Délégués susmentionnés concernant le Tarif Douanier Ottoman des importations ayant abouti, les résultats de l'accord mutuel ont été fixés dans l'annexe signée par les Délégués.

2. Le nouveau Tarif ci-annexé devant former partie intégrante d'un nouveau Traité de Commerce à conclure entre l'Allemagne et la Turquie, et à substituer d'un commun accord au Traité du 20 Mars, 1862, actuellement en vigueur, il est entendu que le nouveau Tarif ne pourra être mis en vigueur que simultanément avec le nouveau Traité.

3. En ce qui concerne l'importation des articles mentionnés ou non dans le Tarif ci-annexé, la Sublime Porte Ottomane s'engage à faire profiter l'importation Allemande immédiatement, sans condition et par ce fait même de toute faveur, de tout privilège, ou abaissement de droits d'entrée qu'elle a accordés on qu'elle accordera à une tierce Puissance.

Les faveurs, privilèges, ou abaissements de droits d'entrée accordés à l'avenir par la Sublime Porte Ottomane à une tierce Puissance avant la conclusion du nouveau Traité de Commerce seront portés au Tarif ci-annexé pour en faire partie intégrante.

En foi de quoi les Délégués ont signé deux exemplaires du présent procès-verbal et du Tarif y annexé, dont l'un a été remis au Délégué d'Allemagne et l'autre aux Délégués de la Turquie.

No. 2.

Sir W. White to the Marquis of Salisbury.—(*Received January* 25.)

(No. 8. Commercial.)
My Lord, *Constantinople, January* 18, 1886.

IN your Lordship's despatch No. 98, Commercial, of the 31st October, 1885, in reply to my Reports Nos. 128 and 129 of the 17th October, 1885, you left to my discretion the precise terms of the answer to be returned to Saïd Pasha to his note of the 13th October, 1885.

Several considerations induced me to leave his Excellency without a written reply up to this moment, and to content myself with sending him verbal messages through the Dragoman, pointing out the motives of this delay; the time, however, now approaches when it will, I daresay, appear advisable to inform the Sublime Porte that Her Majesty's Government are prepared to commence negotiations for a Commercial Treaty, and have appointed one or two Delegates who, under the directions of Her Majesty's Ambassador to the Sultan, would commence these.

I am informed by the German Ambassador that Baron von Theilmann, the First Secretary of Embassy, and Consul-General von Treskow, are about to be named German Delegates for this very purpose, to act under his Excellency's directions.

I have chiefly delayed all this time telling the Sublime Porte that we were prepared to commence this work, as I was desirous that one or two of the Great Powers equally interested with ourselves should have Delegates negotiating at the same time.

The Tariff negotiations were of such a nature that it was desirable, in the interest of British commerce, that we should be the first to terminate them; and the able exertions of Mr. Wrench were prosecuted with such a thorough knowledge of his ground, that this was completed most satisfactorily, and the Agreement could be actually signed in July last, within three months after my arrival here.

But with regard to the negotiations for the Commercial Treaty itself, there are obvious reasons why we should not act alone. The Treaties are intended to be all alike,

and we shall, no doubt, benefit by exercising more pressure if our negotiations are carried on *pari passu* with those of some other Powers.

The German Government has just authorized its Delegate to sign the draft of Tariff with a Protocol. A copy of the latter was forwarded with my despatch No. 3 of the 12th instant to your Lordship. The Imperial Government is, therefore, the only one as forward as ourselves in the matter, whilst it has two very important advantages which are sure to tell in the long run in favour of their Treaty negotiations:—

1. Their old Treaty will not expire for some years yet, and they are on that account in a much better position for exercising influence.

2. They have German officials in most of the public Offices, who will be disposed to assist them in the prosecution of their task. It might, perhaps, be of advantage that Sir Edward Malet should be asked to propose to the Imperial Chancery a mutual understanding between the two Embassies at Constantinople with regard to the negotiating of these Commercial Treaties. I have slightly touched on the subject with M. de Radowitz, who appears favourably inclined to such a course.

As Sir Edward Thornton is, I understand, coming shortly, there will be a decided advantage that these negotiations should commence soon after his arrival, and that the Delegate or Delegates should be designated so that their appointment might be announced by his Excellency to Saïd Pasha.

The valuable services rendered in this matter by Mr. Wrench are, I have no doubt, highly appreciated, and the Sublime Porte has repeatedly expressed its sense of their importance. These services indicate him naturally as a proper person to be one of the Delegates, and he was designated as such by your Lordship's despatch No. 65 of the 22nd June, 1885.

I have, &c.
(Signed) W. A. WHITE.

No. 3.

The Marquis of Salisbury to Sir W. White.

(No. 11. Commercial.)
Sir, *Foreign Office, January* 29, 1886.

I APPROVE your proceedings in regard to commercial negotiations with Turkey, as reported in your despatch No. 8, Commercial, of the 18th instant. In conformity with your suggestion the despatch, of which a copy is inclosed,* has been addressed to Her Majesty's Ambassador at Berlin, with the view to proceed, in concert with Germany, in the commercial negotiations now in progress with the Porte.

I desire to confirm the appointment of Mr. Wrench, as British Delegate for these negotiations, and also to appoint Mr. Fane to act in this capacity. If Mr. Fane is not at his post when the occasion for his action shall arise, Her Majesty's Representative may instruct one of the Second Secretaries of Her Majesty's Embassy to take his place. Mr. Fane should attend, more particularly, to diplomatic and general questions, and Mr. Wrench to commercial and Consular matters, in the negotiation of the proposed new Commercial Treaty between Great Britain and Turkey.

I am, &c.
(Signed) SALISBURY.

No. 4.

The Marquis of Salisbury to Sir E. Malet.

(No. 6. Commercial.)
Sir, *Foreign Office, January* 29, 1886.

NEGOTIATIONS are proceeding at Constantinople for the revision of the Commercial Treaties and the Tariffs annexed to them between foreign countries and Turkey; and Her Majesty's Government are of opinion that mutual advantage would ensue from a friendly communication on the subjects under discussion between the British and German Embassies.

I have accordingly to request that you will ask Count Bismarck whether the German Government would be willing to authorize M. de Radowitz to enter into communication

* No. 4.

with Sir William White on these matters, with the view to mutual explanations in regard to the negotiations in progress; and, as far as may appear practicable and useful, a mutual understanding and joint action in regard to them. Some of the questions in discussion principally affect one or other of the two countries, but others are of a more general character. The former are, for example, details of Tariff which chiefly concern British or German trade; on these matters it may be sufficient for the two Embassies to afford mutual explanations. Other questions, which affect commercial transactions generally, might, it would seem, be treated with advantage by means of a mutual understanding, and, as far as the British and German Representatives may think advisable, joint action in regard to them.

I am, &c.
(Signed) SALISBURY.

No. 5.

Mr. Scott to the Marquis of Salisbury.—(*Received February* 8.)

(No. 15. Commercial.)
Berlin, February 6, 1886.

My Lord,

I HAVE the honour to state that, in compliance with the instructions contained in your Lordship's despatch No. 6, Commercial, of the 29th ultimo, I mentioned to Count Bismarck the suggestion which your Lordship had made, that M. de Radowitz and Sir William White might be instructed to consult and act together at Constantinople in the negotiations which were taking place for new commercial arrangements between Turkey and foreign Powers.

I left with his Excellency a *note verbale* of what I had said to him, in the wording of your Lordship's despatch.

Count Bismarck said that he would be unable to give me a reply until he had consulted the Commercial Department, to whom he would at once communicate the Memorandum which I had given him.

I have, &c.
(Signed) CHARLES S. SCOTT.

No. 6.

The Marquis of Salisbury to Sir W. White.

(No. 14. Commercial.)
Foreign Office, February 10, 1886.

Sir,

I TRANSMIT to you herewith, for your information, copy of a despatch, as marked in the margin,* upon the subject of the commercial negotiations with Turkey.

I am, &c.
(Signed) SALISBURY.

No. 7.

Mr. Scott to the Earl of Rosebery.—(*Received February* 15.)

(No. 16. Commercial.)
Berlin, February 12, 1886.

My Lord,

WITH reference to my despatch No. 15, Commercial, of the 6th instant, I have the honour to state that Count Bismarck has not yet been able to give me an official reply to the proposal, which I was instructed by the Marquis of Salisbury to make, that the German Ambassador at Constantinople might conveniently discuss and exchange views with Sir William White in regard to commercial negotiations with Turkey. I am, however, inclined to believe, from a conversation which I had last night with Count Berchem, the Chief of the Commercial Department in the German Foreign Office, that the German Government are not quite clear as to the object of this proposal, or the exact nature of the negotiations which his Lordship had in view in making it.

* No. 5.

Count Berchem said that the German Government had already arrived at an understanding with the Porte in regard to the Tariff, and so, he understood, had Her Majesty's Government. In other respects the two Governments were not in the same position.

The present German Commercial Treaty would continue in force until 1891. The English Commercial Treaty had, he believed, already expired; but Her Majesty's Government had secured, pending the result of negotiations for a new Treaty, a most-favoured-nation treatment.

Count Berchem's remarks were of a purely private and unofficial nature, and I was not sufficiently cognizant of what had been taking place at Constantinople to be able to reply to them. I venture, however, to bring the matter confidentially to your Lordship's notice, as it might be desirable that Her Majesty's Embassy should be more fully informed of the precise nature of the present state of the commercial negotiations at Constantinople, in case Count Bismarck should repeat these remarks in a more official manner.

I have, &c.
(Signed) CHARLES S. SCOTT.

No. 8.

The Earl of Rosebery to Sir W. White.

(No. 17. Commercial. Confidential.)
Foreign Office, February 18, 1886.

Sir,

WITH reference to my despatch No. 14, Commercial, of the 10th instant, I transmit to you a copy of a despatch from Mr. Scott respecting the present attitude of the German Government as regards the pending commercial negotiations with Turkey.*

I have to request that you will, after perusal of Mr. Scott's despatch, furnish me with a further statement of your views concerning the expediency of the co-operation of Her Majesty's Government with that of Germany in these negotiations.

I am, &c.
(Signed) ROSEBERY.

No. 9.

The Earl of Rosebery to Sir E. Malet.

(No. 10. Commercial.)
Foreign Office, February 18, 1886.

Sir,

I HAVE had under my consideration Mr. Scott's despatch No. 16, Commercial, of the 12th instant, relative to the present attitude of the German Government as regards the pending commercial negotiations with Turkey.

I have now to acquaint your Excellency that I have forwarded a copy of Mr. Scott's despatch confidentially to Sir W. White, with a request that, after its perusal, he will report further concerning the expediency of the co-operation of, Her Majesty's Government with that of Germany in these negotiations.

I am, &c.
(Signed) ROSEBERY.

No. 10.

Sir W. White to the Earl of Rosebery.—(*Received March* 1.)

(No. 21. Commercial.)
Constantinople, February 16, 1886.

My Lord,

IN conformity with the instructions received from your Lordship's predecessor, contained in despatch No. 11, Commercial, of the 29th January I addressed a note to Saïd Pasha, Minister for Foreign Affairs, from whom I have received a reply to the effect that his Excellency Bedros Effendi Couyoumjian, Director-General of Mines and Forests, and Mikaël Effendi Portugal, President of the Council of the General Administration of Indirect Contributions, have been appointed by the Imperial Ottoman Government as

* No. 7.

Delegates for the negotiation of the new Treaty of Commerce between the Ottoman Government and that of Her Majesty.

I have, &c.
(Signed) W. A. WHITE.

No. 11.

Sir E. Thornton to the Earl of Rosebery.—(Received March 8.)

(No. 28. Commercial.)
My Lord, *Constantinople, March 2, 1886.*

WITH reference to your Lordship's despatch No. 17, Commercial, Confidential, of the 18th ultimo, to Sir William White, I have the honour to transmit herewith copy of a statement which, by Sir William's request, has been drawn up by Mr. Consul Wrench, in view of Mr. Scott's despatch concerning the expediency of the co-operation of Her Majesty's Government with that of Germany in the pending commercial negotiations with Turkey.

Sir W. White has expressed his entire approval of the inclosed statement.

I have, &c.
(Signed) EDWD. THORNTON.

Inclosure in No. 11.

Memorandum respecting Commercial Negotiations with the Porte.

THE new Commercial Tariff negotiations having been concluded with the Porte both by the German and by the English Delegates, the proposed co-operation between the English and German Representatives at Constantinople relates to the Treaty negotiations above [? alone].

Considering that the Treaty to be negotiated between the Porte and all the Treaty Powers is to be an identic Treaty, and that, therefore, its stipulations will affect each European Power alike, it is considered advisable that the Embassies of those Powers which are now ready to commence negotiations, that is to say, the German and British Embassies, should be authorized to act upon a mutual understanding.

The effect sought for from this understanding is that authority should be given to the Delegates of the Powers to prepare in concert such portions of the new Treaty as possess a common interest.

At the meetings with the Ottoman Commissioners, which meetings would be held separately with the German and with the British Delegates, both of these Delegates would thus be exerting independent pressure to arrive at a common result, and would, therefore, have a better chance of obtaining what would be mutually advantageous than if each negotiated without knowing what the other was striving for.

It might further be advisable, when a third Power is ready to negotiate, that its nominees should join the German and British Delegates with authority similar to that now advocated with regard to the Powers ready to treat.

No. 12.

The Earl of Rosebery to Sir E. Malet.

(No. 17. Commercial.)
Sir, *Foreign Office, March 9, 1886.*

I REFERRED to Her Majesty's Embassy at Constantinople Mr. Scott's despatch No. 16, Commercial, of the 12th ultimo, and I now transmit to your Excellency copies of the despatch which has been received in reply, forwarding a Memorandum explanatory of the suggestion made for co-operation between the British and German Embassies at Constantinople in regard to commercial negotiations with the Porte.*

If the German Government intend that the Commercial Treaty now subsisting between Germany and Turkey shall remain in force until 1891, there is good reason why the German Embassy at Constantinople should not enter upon negotiations on matters other

* No. 11.

than the Tariff details, which have now to be settled. If, however, it is contemplated that the German Treaty shall be revised in the course of the negotiations with foreign Powers now proceeding at Constantinople, it would seem to be a matter of mutual interest to Germany as well as to Great Britain that the negotiators on the part of the two Powers should communicate together respecting the questions which they are discussing with the Ottoman Delegates, and should, to some extent at least, act in concert in regard to them.

As I am not fully aware of the exact state of the case, it is sufficient to ask your Excellency to ascertain the precise position of the German Government, and to leave to your discretion, according to the circumstances, the nature of the communication to be made in order to give effect to Sir E. Thornton's wishes on the subject, if it is possible to suggest, with any prospect of useful results, co-operation between the two Embassies.

I am, &c.
(Signed) ROSEBERY.

No. 13.

Sir E. Malet to the Earl of Rosebery.—(Received March 22.)

(No. 29. Commercial.)
My Lord, *Berlin, March 20, 1886.*

WITH reference to your Lordship's despatch No. 17, Commercial, of the 9th instant, I have the honour to transmit to your Lordship herewith copy of a *note verbale*, which I addressed on the 16th instant to the Imperial Ministry for Foreign Affairs, on the subject of the proposed interchange of views between the British and German Embassies at Constantinople with regard to commercial negotiations with the Porte.

I also beg to inclose a Memorandum by Mr. Scott, reporting an interview on the subject which he had on the 18th instant with Count Berchem, the Head of the Commercial Department of the Imperial Foreign Office. As your Lordship will observe, Count Berchem's proposal may be taken as the answer of the Imperial Government to my *note verbale* above mentioned.

I have, &c.
(Signed) EDWARD B. MALET.

Inclosure 1 in No. 13.

Note Verbale.

IN further explanation of the communication which Mr. Scott had the honour to make to Count Bismarck on the 5th ultimo, Sir E. Malet has the honour to state, by direction of Her Majesty's Principal Secretary of State for Foreign Affairs, that the new Commercial Tariff negotiations having been concluded with the Porte, both by German and by English Delegates, the proposed co-operation between the English and German Representatives at Constantinople relates to the Treaty negotiations alone; and Her Majesty's Government would be glad to learn whether it is in the contemplation of the Imperial Government to begin these negotiations now or to wait for the expiration of the Turco-German Treaty in 1891, and whether, in the event of its being the intention of the Imperial Government to revise the German Treaty in the course of the negotiations now proceeding at Constantinople between the Porte and other Powers, they would be willing to send to the Imperial Ambassador at Constantinople instructions to concert an understanding on the subject with Her Majesty's Ambassador, as suggested in the *note verbale* of the 5th ultimo.

Berlin, March 16, 1886.

Inclosure 2 in No. 13.

Memorandum by Mr. Scott.

COUNT BERCHEM asked me to call upon him to-day, and spoke about the verbal note which your Excellency had handed in respecting the proposed interchange of views between the English and German Embassies at Constantinople.

He said that it was the fact that their Treaty with the Porte would not expire till 1891, but this would not prevent their negotiating for a new Treaty in the meantime.

If what we desired was a confidential interchange of views and intentions between the two Embassies, there would be no difficulty in sending M. de Radowitz instructions at once to put himself in communication with Sir E. Thornton on the subject.

But Count Berchem said that, in the interest of the success of our separate negotiations, he would deprecate anything like concerted action in treating with the Porte.

He explained that the success hitherto obtained in the case of the Tariff negotiations was chiefly, in his opinion, due to isolated negotiation, and in the further course of negotiation in regard to a revision of the Commercial Treaties, he thought similar action would be advantageous.

E.G.: There were certain points for consideration in which England took a prominent interest, such as the internal custom-houses; and the German Government would prefer to leave the necessary action on this point to the English Embassy, while Germany was specially anxious in regard to the supervision of the "Règlement Douanier," and would devote the greater attention to that point.

There was, however, no intention to keep Her Majesty's Government ignorant of what they were doing, and if M. de Radowitz and Sir. E. Thornton were placed confidentially "en intelligence" together, they might concert as to the points in regard to which they might suitably act in common, and those which had better be left for isolated negotiations.

The Porte had on a previous occasion seemed rather susceptible in regard to concerted action or pressure by the Powers on commercial questions, and any appearance of this now might defeat the objects we each had in view.

I said that I thought that an exchange of views, such as Count Berchem had suggested, was what had been implied in your Excellency's *note verbale*, and Count Berchem said that as Count Bismarck had authorized him to speak to me on this subject, I might give the explanation he had just made to your Excellency, with a view to its being communicated for the consideration of Her Majesty's Government.

Berlin, March 18, 1886.

No. 14.

The Earl of Rosebery to Sir E. Thornton.

(No. 31. Commercial.)

Sir, *Foreign Office, March* 27, 1886.

WITH reference to your Excellency's despatch No. 28, Commercial, of the 2nd instant, I inclose, for your information, a copy of a despatch, as marked in the margin,* respecting a confidential interchange of information between the British and German Embassies at Constantinople on the subject of the commercial negotiations with Turkey.

I am, &c.
(Signed) ROSEBRRY.

No. 15.

The Earl of Rosebery to Sir E. Malet.

(No. 23. Commercial.)

Sir, *Foreign Office, March* 27, 1886.

I HAVE received your Excellency's despatch No. 29, Commercial, of the 20th instant, respecting a confidential interchange of information between the British and the German Embassies at Constantinople on the subject of the commercial negotiations with Turkey; and, in reply, I have to state that I approve your Excellency's action and that of Mr. Scott as reported in your above-mentioned despatch.

I am, &c.
(Signed) ROSEBERY.

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* No. 13.

No. 16.

Sir E. Thornton to the Earl of Rosebery.—(*Received May* 5.)

(No. 60. Commercial. Confidential.)

My Lord, *Constantinople, April* 15, 1886.

I HAVE the honour to transmit herewith a letter in which Messrs. Fane and Wrench report to me that the Ottoman and German Delegates appointed to negotiate a new Treaty of Commerce between the two countries held their first meeting on the 19th instant.

I have, &c.
(Signed) EDWD. THORNTON.

Inclosure in No. 16.

Messrs. Fane and Wrench to Sir E. Thornton.

(Confidential.)

Sir, *Constantinople, April* 25, 1886.

WE have the honour to inform your Excellency that the Ottoman and German Delegates appointed to negotiate a new Treaty of Commerce between the two countries held their first meeting here on the 19th instant.

We understand that no point of agreement was arrived at on this occasion, the obstacle (which presented itself at the outset) being that the Ottoman Delegates were unwilling to accept the German proposal that the new Treaty should hold good for a long term of years.

The German Delegates pointed out that as the existing Treaty, with which their Government was well contented, had still five years to run, there was no object in replacing it by a fresh one, which should last only for a short time.

On the other side, the Ottoman Delegates were understood to object to a Treaty engagement lasting over a great number of years, which might hereafter prevent the Porte from effecting such modifications in their fiscal or commercial policy as the experience of a few years should show to be desirable in the interests of Turkey.

The Ottoman Delegates handed in a Memorandum (or "avant-projet") of their proposals, and of this we hope to obtain shortly a copy.

We are given to believe that no further meeting will take place between the Delegates until after definitive instructions as to the point of difference which has been stated above shall have been received by the German Representatives, and that this will occasion a considerable interruption in the negotiations.

We have, &c.
(Signed) EDMUND FANE.
WILLIAM H. WRENCH.

No. 17.

The Earl of Rosebery to Sir E. Malet.

(No. 39. Commercial. Confidential.)

Sir, *Foreign Office, May* 7, 1886.

WITH reference to my despatch No. 23, Commercial, of the 27th March, I transmit herewith, for your information, copy of a despatch from Her Majesty's Ambassador at Constantinople, reporting the first meeting of the Delegates intrusted with the negotiation of a Treaty of Commerce between Germany and Turkey.*

I am, &c.
(Signed) ROSEBERY.

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* No. 16.

No. 18.

Sir E. Thornton to the Earl of Rosebery.—(Received July 3.)

(No. 89. Commercial. Confidential.)

My Lord, *Therapia, June 29, 1886.*

WITH reference to my despatch No. 60, Commercial, of the 25th April last, I have the honour to transmit a letter from Messrs. Fane and Wrench, inclosing a copy of the Ottoman draft proposals for a new Treaty of Commerce with Germany.

I have, &c.

(Signed) EDWD. THORNTON.

Inclosure 1 in No. 18.

Messrs. Fane and Wrench to Sir E. Thornton.

(Confidential.)

Sir, *Therapia, June 20, 1886.*

REFERRING to our letter to your Excellency of the 25th April last, we have the honour to inclose herewith a copy, furnished to Mr. Wrench confidentially, of the Turkish proposals for a Treaty of Commerce with Germany.

There is no indication of an immediate resumption taking place of the negotiations between the two Governments, and, indeed, until some understanding for fixing the Tariffs shall have been arrived at with Austria-Hungary, there is little probability that the Porte will consent to conclude a Treaty of Commerce with any foreign Government.

We have, &c.

(Signed) EDMUND FANE.
WILLIAM H. WRENCH.

Inclosure 2 in No. 18.

Draft Proposals for a New Treaty of Commerce between Turkey and Germany.

SA Majesté Impériale le Sultan, Empereur des Ottomans, et Sa Majesté l'Empereur d'Allemagne, Roi de Prusse,

Également animés du désir d'étendre et de développer les relations commerciales entre leurs États respectifs, ont résolu de conclure à cet effet un Traité de Commerce et de Navigation, et ont nommé pour leurs Plénipotentiaires, savoir:—

Sa Majesté Impériale le Sultan,

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse,

Lesquels, après s'être communiqués leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:—

ARTICLE I.

Entre les Hautes Parties Contractantes il y aura pleine et entiere liberté de commerce et de navigation.

Les sujets de chacune des deux Parties jouiront sur le territoire de l'autre en matière de commerce, d'industrie, et de navigation, des droits, privilèges, et faveurs qui sont ou qui seront accordés aux sujets et à la population de la nation la plus favorisée. Ils ne seront non plus soumis à aucune taxe, imposition, restriction ou charges générales ou locales de quelque nature que ce soit, autres ou plus élevées que celles qui frappent ou qui frapperont les sujets de la nation la plus favorisée.

ARTICLE II.

Aucune prohibition à l'importation, à l'exportation, ou au transit des merchandises ne pourra être établie par l'une des deux Hautes Parties Contractantes à l'égard de l'autre, si elle n'est en même temps applicable à toutes les autres nations ou à celles des autres nations que se trouveraient dans des conditions identiques.

ARTICLE III.

Aucun article ne pourra être assujetti dans les États de l'une des deux Parties lors de son exportation vers les États de l'autre, à des droits ou des charges autres ou

plus élevées que ceux qui sont ou qui pourraient être exigés lors de l'exportation du même article vers tout autre pays étranger.

En Turquie, le droit d'exportation n'excédera pas 1 pour cent, calculé sur la valeur à l'échelle, et sera payable au moment de l'exportation. Tout article qui aura déjà payé le droit d'exportation n'y sera pas soumis une autre fois quand même il aurait changé de mains.

ARTICLE IV.

Tout article produit du sol ou de l'industrie de l'Allemagne, quel que soit le lieu de provenance, importé par terre ou par mer dans les États de Sa Majesté Impériale le Sultan, et tout article produit du sol ou de l'industrie de la Turquie, quel que soit le lieu de provenance, importé par terre ou par mer dans les États de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, ne sera soumis dans les États de Sa Majesté Impériale le Sultan ou dans les États de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, à des droits autres ou plus élevés que ceux qui sont ou qui pourraient être payables lors de l'importation du même article produit du sol ou de l'industrie de la nation la plus favorisée. Sa Majesté Impériale le Sultan s'engage en outre à ne soumettre les articles produits du sol ou de l'industrie de l'Allemagne importés dans ses États à des droits excédant ceux indiqués dans le Tarif ci-annexé, qui fait partie intégrante du présent Traité.

En ce qui concerne les vins et les spiritueux, Sa Majesté Impériale le Sultan se réserve le droit d'augmenter les taxes fixées dans le susdit Tarif en proportion des surtaxes qui pourraient être imposées à l'avenir aux produits similaires de la Turquie.

Le droit d'importation sera payable, en Turquie, au moment du débarquement des marchandises si elles arrivent par mer, et au premier bureau de Douane si elles arrivent par voie de terre.

Quant aux importations et exportations par chemin de fer, la perception des droits se fera en Turquie conformément aux Règlements speciaux, qui seront édictés par le Gouvernement Ottoman sur la base des dispositions généralement adoptées dans les autres pays en pareille matière.

ARTICLE V.

Aucun droit de transit ne sera prélevé sur les marchandises des deux pays respectifs.

Dans les principaux ports et dans les villes importantes tout près des frontières, autant que l'intérêt du commerce l'exigera, l'Administration Douanière Ottomane établira des entrepôts où les articles importés pourront être déposés contre un droit de magasinage, et, à défaut d'établissements publics de ce genre, elle permettra l'entreposage des marchandises dans des magasins privés sous fermeture Douanière et contre un droit de surveillance conformément à des Règlements à édicter. Le délai d'entreposage des marchandises n'excédera pas douze mois, pendant lesquels les importateurs auront la faculté de les réexporter sans payer un droit d'importation ou d'exportation. Passé ce délai, les marchandises seront passibles de l'intégralité des droits d'importation.

ARTICLE VI.

Les sujets de chacune des Hautes Parties Contractantes seront traités dans les États de l'autre sur le même pied que les nationaux relativement aux droits de magasinage, de surveillance, d'embarquement, de débarquement, et de statistique, ainsi qu'à l'égard des drawbacks ou primes qui sont ou qui pourraient être allouées.

ARTICLE VII.

Tout article qui peut ou qui pourra être légalement importé de l'étranger dans les États de l'une des deux Parties Contractantes ou qui peut ou qui pourra en être exporté pour l'étranger par les bateaux appartenant à ses propres sujets, pourra l'être également par les bateaux qui appartiennent aux sujets de l'autre, sans être soumis à des droits ou charges autres ou plus élevés que ceux qui seraient exigibles si cet article était importé ou exporté sur des bateaux nationaux. Cette égalité de traitement sera appliqué soit que cet article vienne directement du pays de production, soit qu'il provienne de tout autre pays.

ARTICLE VIII.

Aucun droit de tonnage, de port, de pilotage, d'ancrage, de quai, de phare, de quarantaine ou tout autre droit semblable, quelle qu'en soit la nature ou la dénomination

perçu ou à percevoir à ce titre au profit du Gouvernement, de particuliers, de corporations ou d'établissements de toute espèce, ne sera imposé aux bâtiments de l'un des deux États dans les ports de l'autre si ce droit ne frappe pas également et sous les mêmes conditions les bâtiments nationaux. Cette égalité de traitement s'appliquera réciproquement aux bâtiments des deux pays, de quelque port ou endroit qu'ils viennent et quel que soit le lieu de leur destination.

ARTICLE IX.

Tout bâtiment considéré comme Ottoman par la loi Ottomane, et tout bâtiment considéré comme Allemand par la loi Allemande, sera reconnu comme tel par les Parties Contractantes.

ARTICLE X.

Les Firmans exigés des bâtiments de la marine marchande Allemande pour leur passage par les Détroits des Dardanelles et du Bosphore leur seront délivrés, comme par le passé, avec la plus grande célérité possible.

ARTICLE XI.

Sa Majesté Impériale le Sultan se réserve le droit de prohiber l'importation dans ses États du tabac sous toutes ses formes, du sel, des allumettes de toutes formes et de toutes substances, ainsi que des cartes à jouer. Les sujets de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, en Turquie, seront soumis, en ce qui concerne ces articles, aux mêmes régimes et règlements et acquitteront les mêmes droits que les sujets Ottomans.

ARTICLE XII.

L'importation et le transit de la poudre, de la dynamite, et d'autres matières explosibles analogues, des canons, des armes de guerre, et munitions militaires dans les États Ottomans sont formellement prohibés.

Le commerce de ces articles reste sous la surveillance immédiate et spéciale du Gouvernement Ottoman, qui conserve le droit exclusif de le réglementer.

Ne sont pas compris dans cette restriction générale, les fusils de chasse et les armes de luxe, dont la spécification sera officiellement portée à la connaissance du public par le Gouvernement Impérial Ottoman.

ARTICLE XIII.

Les articles d'orfèvrie, et de bijouterie en or, en argent, en platine ou autres métaux importés de l'un des deux pays seront soumis dans l'autre au régime de contrôle établi pour les articles similaires de fabrication nationale et paieront, s'il y a lieu, sur la même base que ceux-ci, les droits de marque.

ARTICLE XIV.

Les capitaines des bâtiments de commerce ayant à bord des marchandises à destination de l'Empire Ottoman, seront tenus, immédiatement après leur arrivée au port de destination de déposer à la Douane deux copies exactes de leur manifeste certifiées par eux conformes à l'original. De même ils doivent, avant leur départ d'un port Ottoman, déposer à la Douane une copie du manifeste relatant les marchandises chargées sur leur navire.

Le manifeste original, soit à l'arrivée, soit au départ, sera présenté en même temps que les copies pour être confronté.

Si un navire s'arrête dans un port Ottoman ou louvoie près des côtes pour des motifs paraissant suspects à la Douane Ottomane, celle-ci pourra exiger la présentation du manifeste et d'autres documents et faire immédiatement toutes perquisitions qu'elle jugera nécessaries.

Le double de l'ordre de perquisition sera adressé dans ce cas à l'autorité Consulaire si celle-ci est à l'approche, qui pourra assister aussi sans que toutefois cette formalité puisse retarder la perquisition.

De même, la Douane aura le droit de faire occuper par l'installation d'un employé à bord de tout navire ancré dans les eaux Ottomanes ou d'y faire apposer les scellés ou mettre des serrures sans qu'il y ait lieu à en donner communication aux autorités Consulaires.

Les excédents ou déficits résultant du rapprochement du manifeste avec la cargaison donneront lieu à l'application des amendes prévues par le Règlement Douanier Ottoman.

L'Administration Douanière Ottomane se réserve également le droit de réglementer les mesures qu'elle jugera nécessaires en vue de prévenir les fraudes et la contrebande tant en ce qui concerne l'introduction des marchandises que l'exportation et le transit par terre ou par mer, par l'entremise des postes, des chemins de fer, ou par tout autres voies et moyens.

ARTICLE XV.

Toute opération de Douane en Turquie, soit à l'arrivée, soit au départ, doit être précédée d'une déclaration spéciale signée par le propriétaire de la marchandise ou par son représentant. La déclaration doit contenir toutes les indications nécessaires pour l'application des droits. Ainsi, outre la nature, l'espèce, la qualité, la provenance, et la destination de la marchandise, elle doit énoncer le poids, le nombre, la mesure ou la valeur suivant le cas. La Douane peut, en outre, en cas de contestation, exiger la présentation de tous les documents qui doivent accompagner l'envoi d'une marchandise, tels que factures, correspondances, &c.

Tout refus de faire la déclaration à l'arrivée ou au départ, tout retard apporté à la dite déclaration, toute différence en plus ou en moins entre les marchandises et la déclaration, donnent lieu à l'application des pénalités prévues par le Règlement Douanier Ottoman.

ARTICLE XVI.

En Turquie, les contestations sur la nature, l'espèce, la classe, l'origine, ou la valeur des marchandises seront vidées par voie administrative et non par voie judiciaire.

Les marchandises introduites en contrebande seront passibles de confiscation, au profit du Trésor Ottoman, sans préjudice des autres pénalitiés encourues par les délinquants.

Cette disposition est indépendante de l'obligation de payer les droits de Douane, lesquels seront perçus dans tous les cas.

Si la Douane Ottomane a des raisons sérieuses pour présumer l'existence d'articles introduits en contrebande dans des endroits quelconques des districts frontières, elle pourra procéder dans les magasins ou demeures, à toute perquisition immédiate qu'elle jugera nécessaire.

Le double de l'ordre de perquisition sera envoyé à l'autorité Consulaire du sujet Allemand, qui pourra assister aussi, si elle le juge convenable, sans que cette formalité puisse retarder la perquisition.

ARTICLE XVII.

La franchise des droits de douane n'est maintenue et accordée que pour les effets et objets importés à l'adresse et destinés à l'usage personnel des chefs des missions diplomatiques accrédités réciproquement dans les deux pays.

ARTICLE XVIII.

Les articles à destination de la Principauté vassale de Bulgarie qui traversent les autres parties de l'Empire Ottoman, n'acquitteront les droits de douane qu'à leur arrivée dans la dite Principauté. Il est entendu, cependant, que cette franchise n'aura lieu que si la sortie de ces articles du côté de la Bulgarie est certifiée par une Douane soumise au contrôle direct de la Sublime Porte. Réciproquement les marchandises d'importation étrangère traversant cette Principauté pour se rendre dans les autres parties de l'Empire Ottoman, ne devront acquitter les susdits droits que dans les conditions prescrites par l'Article IV.

ARTICLE XIX.

Le présent Traité sera exécutoire dans toutes les possessions de Sa Majesté Impériale le Sultan, situées en Europe, en Asie, et en Afrique, y compris la Principauté vassale de Bulgarie.

ARTICLE XX.

Toutes stipulations concernant le commerce et la navigation qui se trouvent dans les Conventions et autres actes antérieurs au présent Traité sont et demeurent abolies.

ARTICLE XXI.

Le présent Traité avec le Tarif y annexé entrera en vigueur le et restera exécutoire pendant , c'est-à-dire, jusqu'au , date à laquelle il prendra fin, sans qu'il y ait lieu à une dénonciation préalable.

Le présent Traité sera ratifié et les ratifications en seront échangées à Constantinople dans l'espace de six semaines, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signé et y ont apposé leurs cachets.

Fait à Constantinople en double original, le

No. 19.

The Earl of Rosebery to Mr. Scott.

(No. 59. Commercial.)

Sir, *Foreign Office, July* 12, 1886.

I TRANSMIT to you herewith, for your information, copy of a despatch, as marked in the margin,* upon the subject of the Turco-German commercial relations referred to in my despatch No. 39, Commercial, of the 7th May last.

I am, &c.
(Signed) ROSEBERY.

No. 20.

Sir W. White to the Earl of Iddesleigh.—(Received November 20.)

(No. 151. Commercial.)

My Lord, *Constantinople, November* 16, 1886.

I HAVE the honour to inclose copy of the instructions which I have given to Mr. Fane and to Mr. Wrench, the British Delegates for the negotiation of a new Treaty of Commerce and Navigation with this country, who have been invited by their Ottoman colleagues to meet to-day in order to commence a preliminary discussion.

I shall not fail to report the result of this first interview, after which it may appear requisite to your Lordship to modify these preliminary instructions or to supply these gentlemen with more extensive ones.

I have, &c.
(Signed) W. A. WHITE.

Inclosure in No. 20.

Sir W. White to Messrs. Fane and Wrench.

Gentlemen, *Constantinople, November* 15, 1886.

THE Ottoman Minister for Foreign Affairs having invited you to meet your Ottoman colleagues, Bedros Effendi Couyoumjian and Mikaël Effendi Portugal, for the purpose of commencing the negotiations for a new Treaty of Commerce and Navigation, I have to request that you will respond to this invitation, and I have thought it advisable to lay down the following few general rules for your guidance, which you will easily supplement from your own experience.

In the first instance, it will be necessary to place on record that your duties are confined to the preliminary discussion of the projected new Treaty destined to regulate the commercial relations of the two Empires, and that, consequently, the deliberations must be strictly limited to questions bearing upon commercial matters, to the exclusion of all those regulated by pre-existing Treaties; farther, you will please bear in mind that this is a preliminary discussion, and as the Ottoman Delegates are to carry it on under the direction of the Minister for Foreign Affairs, you will likewise frequently have to refer, through me, to Her Majesty's Secretary of State. Under these circumstances, the drawing up of a *procès-verbal* would be useless, and is inadmissible in the present state of your proceedings.

* No. 18.

The new Commercial Treaty being intended to serve no other purpose but to replace the one of 1861, you will take the text of that Treaty for your basis, retaining those Articles which require no change and introducing into others such modifications as may be rendered necessary by the adoption of the new Tariff already negotiated.

In this correction you may accept from your Ottoman colleagues any project that they may have drafted, but on a distinct understanding that it is not to serve for anything but as a help for study, and that the only basis for your negotiations is to be the former Treaty of 1861.

You will take an early opportunity of announcing to your Ottoman colleagues that Her Majesty's Government consider it an essential point that all negotiations and official notices, upon which Mr. Wrench insisted in the 44th Protocol of the discussions on the Tariff, should be finally settled and determined, so as to receive the approbation of Her Majesty's Government prior to the conclusion of the new Treaty; and you will likewise announce to them that we consider, in accordance with the notice given in that Protocol by Mr. Wrench, that we have acquired a right to the abolition of export and also of all internal duties levied hitherto on conveyance from one Ottoman port to another.

There are other points on which you will have to apply for instructions in the course of these preliminary negotiations, and on which it may be requisite for us to refer home; but I think the above will be found sufficient for your guidance for the present.

I am, &c.
(Signed) W. A. WHITE.

No. 21.

Sir W. White to the Earl of Iddesleigh.—(Received November 24.)

(No. 156. Commercial.)

My Lord, *Constantinople, November* 19, 1886.

I HAVE the honour to transmit herewith to your Lordship a Report addressed to me by Messrs. Fane and Wrench, giving an account of the proceedings at the first meeting of the British and Ottoman Delegates for negotiating the terms of a new Treaty of Commerce.

I have, &c.
(Signed) W. A. WHITE.

Inclosure in No. 21.

Messrs. Fane and Wrench to Sir W. White.

Sir, *Constantinople, November* 16, 1886.

WE have the honour to report to your Excellency that our first meeting with the Ottoman Delegates for discussing the terms of a new Treaty of Commerce was held this afternoon at the Sublime Porte.

Our Ottoman colleagues were: his Excellency Bedros Effendi Conyoumjian, Director-General of Mines and Forests; Mikaël Effendi Portugal, President of the Board of Customs; Bertram Effendi, Vice-President of the Board of Customs; Göecher and Gabriel Effendis, Legal Advisers of the Porte.

Saïd Pasha, the Minister of Foreign Affairs, presided at the commencement of the meeting, and opened the proceedings by addressing to us a few words expressive of welcome, and of hope that our deliberations would result in an understanding advantageous to the interests of both countries. Such a result, his Excellency said, would be best brought about by both sides displaying a spirit of conciliation.

In making a suitable response to his Excellency's address, we took the opportunity of saying that our duties were at present limited to discussing in a preliminary manner the terms of a new Treaty, and that every important point of discussion that arose must be referred by us to your Excellency, from whom we should receive instructions respecting the views taken thereupon by Her Majesty's Principal Secretary of State. In short, we were to be considered as being under your Excellency's direction in the same way as we understood that the Ottoman Delegates were under the direction of the Minister of Foreign Affairs.

In this view Saïd Pasha fully acquiesced, saying that it was distinctly understood that each point of importance was only to be discussed on the principle of *ad referendum*,

and we thereupon proceeded to state that, this being so, we were further instructed by your Excellency to point out that in the present stage of the proceedings there was no advantage in the drawing up of *procès-verbaux*. On the contrary, that formality would be a positive hindrance to the progress of business, and might even occasion serious misunderstandings hereafter.

After much demurring on this point, the Minister of Foreign Affairs and the Ottoman Delegates finally fell in with our view, and it was agreed that no *procès-verbal* should be drawn up until both sides were prepared to place upon record their definitive consent to some point of importance.

At this point of the proceedings, the Minister of Foreign Affairs retired from the meeting; relinquishing the presidency to his Excellency Bedros Effendi.

Mikaël Effendi then commenced, at the request of Bedros Effendi, to read a draft Treaty, which he said the Porte proposed for the consideration of Her Majesty's Government; but we interrupted him by saying that as we did not wish to waste our colleagues' time, we begged to state at once that your Excellency had strictly forbidden us to enter upon the discussion of any basis of negotiation other than that of the expired Treaty of 1861; and, thinking this a good opportunity for doing so, we proceeded to read out the instructions given to us by your Excellency, not only on the above particular point, but also on the general subject of how we were to be guided in conducting the negotiations. We thought that there was no need to conceal our instructions, but that, on the contrary, it would expedite business if our colleagues knew at once the general lines beyond which we were forbidden to travel. We declined, however, to furnish our colleagues with a copy of these instructions.

The Ottoman Delegates represented that much pains had been devoted by the Sublime Porte to the preparation of this draft Treaty, and that it would be a regrettable loss of labour if its consideration were absolutely rejected.

On our repeating, however, that no discretion was given to us on the point in question, our colleagues at length agreed to accept the principle of taking the Treaty of 1861 as the frame of a new Treaty.

They then offered us the draft Treaty above referred to, merely as a paper containing the views of the Ottoman Government as to the modifications which they desired to see introduced into the new Treaty. To this we replied that, although of course we knew nothing about its contents, we were willing to receive the paper in question "à titre d'étude" and for your Excellency's information; and our colleagues thereupon said that they would prepare and send us in a few days a copy of the document which should show those portions of it which had met already with the acceptance of the German Government.

This closed the day's proceedings, and it was agreed that we should next meet again on Saturday, the 27th instant.

To the above Report we should add that, following your Excellency's wishes, we have been in constant confidential communication on the subject of these commercial negotiations with the German Delegates, who have afforded us such help and information as they properly could.

We have, &c.
(Signed) EDMUND FANE.
WILLIAM H. WRENCH.

No. 22.

The Earl of Iddesleigh to Sir W. White.

(No. 93. Commercial.)
Sir, *Foreign Office, November* 24, 1886.

I APPROVE the instructions, copy of which accompanies your despatch No. 151, Commercial, of the 16th instant, given by your Excellency to Mr. Fane and Mr. Wrench, with regard to the commercial negotiations now in progress with the Porte.

I am, &c.
(Signed) IDDESLEIGH.

No. 23.

The Earl of Iddesleigh to Sir W. White.

(No. 95. Commercial.)
Sir, *Foreign Office, November* 25, 1886.

I APPROVE the proceedings of Mr. Fane and Mr. Wrench in the commercial negotiations now in progress with the Turkish Government, as stated in the Report which accompanies your Excellency's despatch No. 156, Commercial, of the 19th instant.

I am, &c.
(Signed) IDDESLEIGH.

No. 24.

The Incorporated Chamber of Commerce to the Earl of Iddesleigh.—(Received December 20.)

My Lord, 16, *Park Row, Leeds, December* 18, 1886.

THE Chamber are informed that it is proposed by the Turkish Government to tax ready-made clothing introduced into Turkey at 825 piastres per 100 kilog., and cloth at 625 piastres. I am instructed by the Council of the Chamber to inquire of your Lordship whether any change from an *ad valorem* duty to a specific duty has been proposed by the Turkish Government.

I have, &c.
(Signed) RHODES K. CALVERT, *Secretary.*

No. 25.

The Earl of Iddesleigh to Sir W. White.

(No. 103. Commercial.)
Sir, *Foreign Office, December* 24, 1886.

I INCLOSE copy of a letter from the Leeds Chamber of Commerce inquiring respecting the supposed intention of the Turkish Government to tax ready-made clothing in Turkey;* and I have to request your Excellency to report whether the statement of the Chamber is correct.

I am, &c.
(Signed) IDDESLEIGH.

No. 26.

Sir James Fergusson to the Leeds Chamber of Commerce.

Sir, *Foreign Office, December* 24, 1886.

IN reply to your letter of the 18th instant, inquiring as to the duty on ready-made clothes in Turkey, I am directed by the Earl of Iddesleigh to inform you that your question has been referred to Her Majesty's Ambassador at Constantinople.

I am, &c.
(Signed) JAMES FERGUSSON.

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* No. 24.